

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

JOHN DOE,

Plaintiff,

v.

KRISSY MATTSON and MULTNOMAH  
COUNTY,

Defendants.

No. CV 07-802-JE

OPINION AND ORDER

**MOSMAN, J.,**

On September 17, 2007, Magistrate Judge Jelderks issued Findings and Recommendation ("F&R") (#14) in the above-captioned case recommending that Plaintiff counsel's Motion to Withdraw (#8) be GRANTED and that Defendant's Motion to Dismiss for Failure to Prosecute (#10) be GRANTED, and that a judgment be entered dismissing this action without prejudice. No objections were filed.

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The district court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. Where objections have been made, I conduct a *de novo* review. 28 U.S.C. § 636(b)(1)(C). However, I am not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge to which no objections are made. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United*

*States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). In either case, the court is free to accept, reject, or modify any of the magistrate judge's F&R. 28 U.S.C. § 636(b)(1)(C).

Upon review, I agree with Judge Jelderk's recommendation, and I ADOPT the F&R as my own opinion.

IT IS SO ORDERED.

DATED this 23rd day of October, 2007.

/s/ Michael W. Mosman  
MICHAEL W. MOSMAN  
United States District Court